

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

FILED

JUL 22 2019

Clerk, U.S. Courts
District Of Montana
Missoula Division

UNITED STATES OF AMERICA,

Plaintiff/Respondent,

vs.

ANGEL ITURBE-GONZALEZ,

Defendant/Movant.

Cause No. CR 14-23-BU-DLC

ORDER TO UNITED STATES

This case comes before the Court on Defendant/Movant Angel Iturbe-Gonzalez's motion to vacate, set aside, or correct the sentence under 28 U.S.C. § 2255. Iturbe is a federal prisoner proceeding pro se.

The Court has reviewed the motion under Rule 4(b) of the Rules Governing § 2255 Proceedings. An answer is not required at this time. The United States must, however, respond to one allegation.

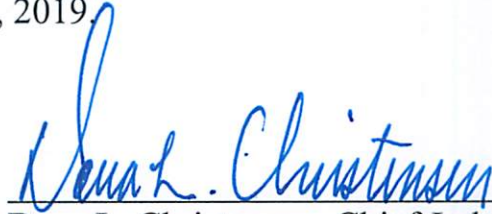
Iturbe says that "he would have agreed to the plea offer" if he "had known that the plea agreement truly locked in a sentence of 57 months once the Court accepted his plea." Br. in Supp. at 20; Iturbe Decl. at ¶ 29.

The United States must respond by stating whether and when it offered Iturbe a plea agreement under Fed. R. Crim. P. 11(c)(1)(C) that would have resulted in a sentence of 57 months if the Court had accepted the plea agreement.

It must also file any offers it made or memorialized in writing.

Accordingly, IT IS ORDERED that the United States must respond to this Order on or before **August 2, 2019**.

DATED this 22nd day of July, 2019.



Dana L. Christensen, Chief Judge
United States District Court